

APPEAL NO. 040393
FILED APRIL 6, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on January 13, 2004. The hearing officer determined that the appellant's (claimant) _____, compensable injury does not extend to and include an injury to the lumbar spine. The claimant appealed the adverse extent-of-injury determination. The respondent (carrier) responded, urging affirmance.

DECISION

Affirmed.

Whether the claimant's compensable injury includes his lower back was a factual question for the hearing officer to resolve. Conflicting evidence was presented at the hearing on the disputed issue in this case. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established from the evidence presented. Nothing in our review of the record indicates that the hearing officer's decision is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **HIGHLANDS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**WILLIS THOMAS KING, JR.-PRESIDENT
10370 RICHMOND AVENUE
HOUSTON, TEXAS 77042-4123.**

Daniel R. Barry
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Robert W. Potts
Appeals Judge